



CITY OF PORTLAND ENVIRONMENTAL SERVICES



Water Pollution Control Laboratory

6543 N. Burlington Avenue, Bldg 217, Portland, Oregon 97203 ■ Nick Fish, Commissioner ■ Dean Marriott, Director

October 15, 2013

USDOD; US Army Corps of Engineers
Chris Harper
8010 NW St. Helens Rd
Portland, OR 97210

RE: **Pre-Enforcement Referral**
Failure to Meet Monitoring Requirements - Schedule B and Schedule E
US DOD: US Army Corps of Engineers, DEQ File # 108394

Dear Mr. Harper:

The City of Portland is in receipt of your company's Industrial Stormwater Discharge Monitoring Report for the monitoring year July 1, 2012 through June 30, 2013. A review of the report indicates that monitoring for pollutants did not meet permit requirements. Schedules B and E of the General NPDES Stormwater Discharge Permit require permittees to collect stormwater samples at each monitoring location identified in the site's Storm Water Pollution Control Plan, as described in the permit assignment cover letter.

Based on specific rainfall data collected in the vicinity of your facility, there were sufficient rain events throughout the 2012-2013 permit year to sample the required four storm events at your facility. Rainfall data is available on the City's HYDRA Rainfall Network (<http://or.usgs.gov/non-usgs/bes/precip.html>).

Please note the following indicated by a checked box below:

- ☒ Only 3 out of 4 samples were collected for benchmark parameters.
- ☒ Parameters required by *Schedule B.1* of the permit were missing from the 12/17/12 sample date. Specifically, the sample was not analyzed for iron. The facility did collect 2 samples for iron during the spring of 2013, on 4/4/13 and 5/16/13.

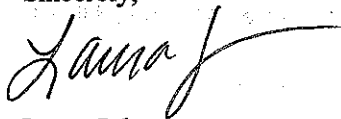
The violation cited above is being referred to the Oregon Department of Environmental Quality's Office of Compliance and Enforcement (OCE) for formal enforcement action. Formal enforcement action may result in assessment of civil penalties and/or a Department order. A formal enforcement action may include a civil penalty assessment for each day of violation.

If you have additional information that clarifies the facts surrounding the violation, please forward that information to the City immediately. If the City determines that this Notice was issued in error, the City will amend or withdraw the Notice and notify the OCE.

To avoid future violations of your permit, and additional enforcement, please review the monitoring requirements outlined in *Schedule B and Schedule E* to ensure that all samples are collected per permit requirements. If you have any questions regarding these requirements, please contact at 503-823-7192.

**Pre-Enforcement Notification: Referral Notice of Noncompliance
Failure to Meet Monitoring Requirements - Schedule B and Schedule E**

Sincerely,



**Laura Johnson
Industrial Stormwater Program**

**cc: Art Leskovich, US Army Corps of Engineers
DEQ Office of Compliance and Enforcement**

The following information was obtained from the records of the Industrial Stormwater Program, which are maintained by the Department of Environmental Quality, Office of Compliance and Enforcement, and are being provided to you for your information. The information is being provided to you for your information and is not to be used for any other purpose.

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